

SECOND REGULAR SESSION

SENATE BILL NO. 516

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Pre-filed December 5, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4332S.02I

AN ACT

To repeal section 105.463, RSMo, and to enact in lieu thereof two new sections relating to gubernatorial appointments.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 105.463, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 26.303 and 105.463, to read as
3 follows:

**26.303. 1. All members of boards and commissions appointed by
2 the governor, after August 28, 2012, who are designated as a "public
3 member", "consumer representative", "patient advocate", or similar
4 designation wherein specialized knowledge of the area to be regulated
5 is not a prerequisite or qualification for membership on such board or
6 commission, shall not have or have had a financial interest in the
7 subject regulated by the board or commission or be, or have been, an
8 employee of the state of Missouri within at least the five years
9 immediately preceding the appointment to such board or
10 commission. For purposes of this subsection, the term "financial
11 interest in the subject regulated" shall mean that the member, or any
12 person within the first degree of consanguinity of the member, has a
13 material financial interest in the professional services regulated by the
14 board or commission or a material financial interest in an activity or
15 organization directly related to the profession or subject matter, or
16 that the member, or any person within the first degree of consanguinity
17 of the member, is a member of any profession that is regulated by the
18 board or commission.**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 **2. For any prospective member of a board or commission**
20 **appointed by the governor where the appointment by state law requires**
21 **a recommendation from an organization or association to the governor,**
22 **such organization or association shall send a written letter of**
23 **recommendation to the governor prior to the prospective member being**
24 **appointed to such board or commission. No employee, or person on**
25 **behalf of an employee, of the executive branch of the state of Missouri,**
26 **or any agency thereof, shall request or otherwise require that an**
27 **organization or association recommend a specific individual for**
28 **membership on such board or commission.**

105.463. Within thirty days of submission of the person's name to the
2 governor and in order to be an eligible nominee for appointment to a board or
3 commission requiring senate confirmation, a nominee shall file a financial
4 interest statement in the manner provided by section 105.485 and shall request
5 a list of all political contributions and the name of the candidate or committee as
6 defined in chapter 130, to which those contributions were made within the
7 **[four-year] ten-year** period prior to such appointment, made by the nominee,
8 from the ethics commission. The information shall be delivered to the nominee
9 by the ethics commission. The nominee shall deliver the information to the
10 president pro tem of the senate prior to confirmation.

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